IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL FROM ORDER NO. 62 OF 2007

MRS. LEENA NAIDU MORAES THROUGH HIS ATTORNEY MRS. JOY CECILIA VEIGAS ... Appellant

Versus

SARAYU AHUJA AND ANR ... Respondents

Mr. M.S. Usgaonkar, Senior Advocate with Mr. Iftikhar Agha, Advocate for the Appellant.
Mr. M.B.D'Costa, Senior Advocate with Mr. J.A. Lobo, Advocate for the Respondents.

Coram:- N. A. BRITTO, J.

Date:- 29th October, 2007

Oral Order:

Heard Learned Senior Counsel on behalf of both parties.

2. The impugned order is hereby set aside.

3. The application of intervention of respondent no.1 shall be considered by the trial Court only after respondent no.1 obtains the probate of the Will made in her favour. Needless to observe the proceedings of inventory will be stayed till such time respondent no.1 obtains the probate of the Will. Respondent no.1 is at liberty to apply to the Court where probate proceedings are pending for expeditious disposal of the said proceedings. All questions are left open.

4. The appeal is disposed off on above terms.

N. A. BRITTO, J.

NH